

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

Derrick Tyler

Petitioner

V.

CIVIL ACTION

NO. 04-cv-12680 NMG

David Nolan

Respondent

O R D E R

Gorton D. J.

Pursuant to Rule 4 of the Rules Governing Section 2254 cases, the Clerk of this Court is hereby ordered to serve a copy of the Petition for a Writ of Habeas Corpus by mailing copies of the same to the Respondent AND the Attorney General for the Commonwealth of Massachusetts, Attention: Cathryn A. Neaves, Assistant Attorney General, Office of the Attorney General, One Ashburton Place, 18th Floor, Boston, MA 02108.

It is further ordered that the Respondent shall, within 20 days of receipt of this Order, file an answer (or other proper responsive pleading) to the Petition for Writ of Habeas Corpus.

This Court further requests the Respondent, as part of the return, to file such documents which reflect on the issue as to whether Petitioner(s) exhausted available state remedies with respect to the matters raised by the Petition.

10/26/05

Date

/s/ Nathaniel M. Gorton

United States District Judge